

DEPOSITION TRANSCRIPT OF JOHN MESKUNAS

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Q. Okay. Let me ask you, I don't want to get ahead of myself, did you ever make any comments to Ms. Loscalzo about her anatomy?

A. No.

Q. You didn't? You never made any comments about her breasts?

A. I don't believe so, no.

Q. Or her buttocks?

A. No.

Q. Okay. We'll get back to that.

So you had that one conversation with

Ms. Massa. Did you ever have any additional

conversations with her about Ms. Loscalzo suing

New Roc Motorcycles which were not in the

presence of counsel?

A. We -- we had a couple of very brief discussions.

Q. What was said?

A. Arranging for her to meet with the attorney, you know, trying to schedule whatever types of conversations or meetings that she was supposed to have with -- with whoever the -- you know, either my first attorney or with Ms. Donnelly. And I had discussions with her since

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2 she was the head of HR. I asked her to -- if --
3 if Michelle had ever complained to her about my
4 behavior or anybody else's behavior.

5 Q. And what did she say?

6 A. She said that Michelle had complained
7 about -- that she thought that Wayne was -- was,
8 you know, quote, hard on her, unquote, but she
9 never complained at all about any talk, comments
10 or anything else like that, never alleged.

11 Q. Did Ms. Massa tell that you Ms.
12 Loscalzo had told her that she had consulted
13 with an attorney while she was still employed at
14 New Roc Motorcycles regarding comments you had
15 made to her of a sexual nature and your behavior
16 toward her?

17 A. No.

18 MS. DONNELLY: Objection. You can
19 answer.

20 THE WITNESS: No.

21 Q. Massa never told you that, okay.

22 A. No.

23 Q. Did Massa ever tell you that she had
24 exchanged e-mails with Ms. Loscalzo after I had
25 sent the letter to you which is Meskunas Exhibit

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2 Q. Okay. Now, who made the decision to
3 terminate Ms. Loscalzo's employment?

4 A. I believe it was jointly made between
5 myself, Wayne Sforza and Patty Massa.

6 Q. All right. Who had the final say,
7 you?

8 A. Yes.

9 Q. All right. Were any other employees
10 discharged from New Roc Motorcycles for
11 lateness?

12 A. No.

13 Q. For reasons of --

14 MS. DONNELLY: Oh, no. I want to
15 object to that question because you said
16 any other employees. I don't think it's
17 been testified that anyone was terminated
18 for lateness, so I'm going to object --

19 MR. BERNBACH: All right. Anyone
20 other than Ms. Loscalzo.

21 MS. DONNELLY: That's not his
22 testimony that she was terminated for
23 lateness.

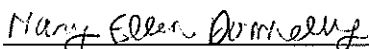
24 MR. BERNBACH: He just said no.

25 MS. DONNELLY: You're implying that

CERTIFICATE OF SERVICE

The undersigned, a member of the Bar of this Court, hereby certifies that she caused a true and accurate copy of the foregoing Compendium of Deposition Transcripts in Support of Defendant's Motion to Dismiss to be served via electronic filing and overnight mail on December 7, 2007 upon:

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